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ATTEST

By **Regina Hale at Feb 24, 2009**

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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Feb 24, 2009

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

Susan Tabor, et al. v. Actavis, Inc., et al.,)
E.D. Louisiana, C.A. No. 2:08-5051)
MDL No. 1968

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER
AND VACATING THE MARCH 26, 2009, HEARING SESSION**

A conditional transfer order was filed in this action (*Tabor*) on January 15, 2009. Prior to expiration of that order's 15-day stay of transmittal, plaintiffs in *Tabor* filed notice of opposition to the proposed conditional transfer order. Plaintiffs subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-8" filed on January 15, 2009, is LIFTED insofar as it relates to this action. The action is transferred to the Southern District of West Virginia for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Joseph R. Goodwin.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on February 20, 2009, are VACATED insofar as they relate to this matter.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel